

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

WILLIAM R. CUNNINGHAM and CUNNINGHAM  
ELECTRONICS CORPORATION,

Plaintiffs/Counterdefendants,

v.

POSNET SERVICES, LLC,

Defendant/Counterplaintiff,

and

MARK SMITH,

Defendant.

Case No. 05-cv-4191-JPG

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POSNET SERVICES, LLC,

Plaintiff,

v.

WILLIAM R. CUNNINGHAM and CUNNINGHAM  
ELECTRONICS CORPORATION,

Defendants.

Consolidated with  
Case No. 06-cv-4033-JPG

**JUDGMENT**

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision as to some issues and the plaintiffs having settled others,

IT IS HEREBY ORDERED AND ADJUDGED that judgment is entered in favor of plaintiff/counterdefendant William R. Cunningham and against defendant/counterplaintiff POSnet Services, LLC, on the portion of Counterclaim Count I for breach of contract for failing to provide settlement services and coupon terminals;

IT IS FURTHER ORDERED AND ADJUDGED that judgment is entered in favor of defendant/counterplaintiff POSnet Services, LLC and against plaintiffs/counterdefendants William R. Cunningham and Cunningham Electronic Corporation on Count II for breach of ¶9(c) of the Joint Venture Agreement; and

IT IS FURTHER ORDERED AND ADJUDGED that all remaining claims and counterclaims in this case are dismissed with prejudice.

The Court retains jurisdiction to conduct contempt proceedings.

**DATED: November 19, 2008**

**NORBERT JAWORSKI**

**By:s/Brenda K. Lowe, Deputy Clerk**

**Approved:** s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**